

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:)	
)	Case No.:18-47538-399
)	
)	
Michael Lynch,)	Chapter 13
)	
Movant/Debtor,)	
)	MOTION TO VACATE
vs.)	& REINSTATE
)	
)	
Diana S. Daugherty,)	
)	
Chapter 13 Trustee,)	
)	
Respondent.)	

MOTION TO VACATE DISMISSAL AND REINSTATE CASE

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, THE DATE OF WHICH WILL BE SENT TO YOU IF YOU FILE A RESPONSE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING. REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

COMES NOW Debtor, by and through Debtor's undersigned Counsel, and moves this Court to vacate the order dismissing his case, and in support thereof states as follows:

- 1) The Court, upon motion of the Chapter 13 Trustee, dismissed the case for failure to make plan payments on or about June 3, 2020.

2) Movant is possessed of sufficient funds to fully cure the monthly payment delinquency to the Chapter 13 Trustee of \$2,769.60.

3) Movant has cured the deficiency with this Motion to Reinstate to the Trustee.

WHEREFORE, Debtor prays that this Court vacate the order dismissing the case, reinstate Debtor's case, and for such other relief as this Court deems appropriate.

Respectfully submitted,

/s/ Timothy P. Powderly
Timothy P. Powderly, #64092MO
11965 St. Charles Rock Rd., Suite. 202
St. Louis, MO 63044
Tel: 314-770-9890 / Fax: 314-739-1355
Tim@Powderlylaw.com
ATTORNEY FOR DEBTOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Objection to Claim and Notice was served on the following electronically through the Court's ECF system on June 8, 2020 to:

Diana S. Daugherty
standing_trustee@ch13stl.com, trust33@ch13stl.com

Office of US Trustee
USTPRegion13.SL.ECF@USDOJ.gov

/s/ Timothy P. Powderly